

State of South Dakota

EIGHTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2011

717S0466

SENATE BILL NO. 84

Introduced by: Senators Peters, Begalka, Kraus, Maher, Rhoden, and Tieszen and
Representatives Cronin, Hoffman, Miller, Moser, Nelson (Stace), Olson
(Betty), Russell, and Verchio

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding administrative
2 penalties when filing campaign finance disclosure statements and to create the election
3 education and compliance fund.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. That § 12-27-29.1 be amended to read as follows:

6 12-27-29.1. In addition to any other penalty or relief provided under this chapter, the
7 secretary of state, after notice and opportunity for hearing pursuant to chapter 1-26, may impose
8 an administrative penalty for the failure to properly use campaign financial disclosure or the
9 failure to timely file any statement, amendment, or correction required to be filed by this
10 chapter. The administrative penalty is fifty dollars per day for each violation not to exceed three
11 thousand dollars. However, if the violation is made by a county political party or auxiliary, the
12 administrative penalty is ten dollars per day for each violation not to exceed six hundred dollars.
13 Any administrative penalty collected pursuant to this section shall be deposited in the ~~state~~
14 ~~general fund~~ election education and compliance fund created by section 2 of this Act.



1 Section 2. That chapter 12-27 be amended by adding thereto a NEW SECTION to read as
2 follows:

3 There is hereby created within the state treasury the election education and compliance fund.
4 All moneys in the election education and compliance fund are subject to appropriation by the
5 Legislature through the General Appropriations Act or special appropriations acts. Any interest
6 earned shall be credited to the fund.